

Message Text

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PAGE 01 USUN N 01057 292218Z

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ACTION IO-14

INFO OCT-01 AF-10 ARA-16 EA-11 EUR-25 NEA-10 RSC-01 ISO-00

ABF-01 OMB-01 TRSE-00 CIAE-00 DODE-00 PM-07 H-03

INR-10 L-03 NSAE-00 NSC-07 PA-04 PRS-01 SPC-03 SS-20

USIA-15 DRC-01 /164 W

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P R 292132Z MAR 74

FM USMISSION USUN NY

TO SECSTATE WASHDC PRIORITY 3289

INFO AMEMBASSY LA PAZ PRIORITY

AMEMBASSY BANGUI

AMEMBASSY CONAKRY

AMEMBASSY SANTO DOMINGO

AMEMBASSY PORT AU PRINCE

AMEMBASSY BAMAKO

AMEMBASSY MANAGUA

AMEMBASSY ASUNCION

USINT DAMASCUS

AMEMBASSY MONTEVIDEO

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E.O. 11652: NA

TAGS: UNGA, EGEN, AORG, BL, CT, DR. GV, HA, ML, NU,

PA, SY, UY

SUBJ: UNGA SPECIAL SESSION: ART 19 PROBLEM

REF: (A) USUN 814: (B) ASUNCION 0949

1. SUMMARY: OF TEN MEMBERS REPORTED REFTEL IN AREARS IN PAYMENT OF THEIR REGULAR UN BUDGET CONTRIBUTION, AND THEREFORE SUBJECT TO LOSS OF VOTE IN UPCOMING SPECIAL SESSION, MISSION HAS CONTACTED UN MISSIONS OF BOLIVIA, DOMINICAN REPUBLIC, HAITI, NICARAGUA, AND URUGUAY TO URGE PAYMENT. WE DO NOT RECOMMEND FURTHER
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PAGE 02 USUN N 01057 292218Z

APPROACHES IN CAPITALS EXCEPT LA PAZ, WHERE BOLIVIAN

CHARGE HAS TOLD US HE WOULD WELCOME U.S. EMBASSY SUPPORT WITH FONMIN. USUN HS BEEN APPROACHED BY U.N. LEGAL COUNSEL SUY FOR INFORMATION ON HOW WE PLAN TO APPROACH ISSUE AT SPECIAL SESSION. REQUEST DEPARTMENT VIEWS. END SUMMARY.

2. MISSION REPORTED REFTEL (A) THAT TEN MEMBERS IN ARREARS IN PAYMENT THEIR UN REGULAR BUDGET CONTRIBUION AND THEREFORE SUBJECT TO LOSS OF VOTE IN UPCOMING SPECIAL SESSION. UN SECT HAS HAD REPEATED CONTACTS IN NEW YORK WITH MISSIONS OF BOLIVIA, DOMINICAN REPUBLIC, HAITI, NICARAGUA, AND URUGUAY, RESULTING IN ASSURANCES THAT THEIR GOVERNMENTS SEIZED WITH PROBLEM. AS OF MARCH 28, SECT REPORTS THAT MALI AND SYRIA HAVE MADE SUFFICIENT PAYMENTS TO REMOVE THEM FROM ART 19 SANCTION PROVISION, AND NICARAGUA HAS MADE PARTIAL PAYMENT. UNLESS AMOUNTS OWED BY REMAINING EIGHT DELIQUENTS ARE PAID IN FULL, SYG WILL INFORM PRES OF SPECIAL SESSION BY LETTER (CIRCULATED AS ASSEMBLY DOCUMENT) AT OPENING THAT MEMBERS IN ARREARS WILL NOT BE PERMITTED TO VOTE.

3. TWO MEMBERS IN ARREARS--NICARAGUA AND URUGUAY--ARE MEMBERS OF UNGA CREDENTIALS COMITE, WHERE WE MIGHT NEED THEIR VOTES IF ANY DEL CHALLENGES CREDENTIALS OF ANY OTHER DEL (E.G., KHMER REPUBLIC).

4. ANOTHER CONSIDERATION IS THAT NICARAGUA MIGHT SEEK EXCULPATION DUE TO DOMESTIC DIFFICULTIES (EARTHQUAKE AFTERMATH) THAT PROHIBIT MAKING PAYMENT. WHILE APPLICATION OF ART 19 IS AUTOMATIC, EXCULPATION REQUIRES POSITIVE ACTION BY UNGA AFTER RECEIVING REPORT FROM COMITE ON CONTRIBUTIONS. IF NICARAGUA SEEKS EXCULPATION, OTHERS MIGHT ATTEMPT TO FOLLOW SUIT, AND RESULT IN ANY CASE UNCERTAIN.

5. USUN HAS CONTACTED UN MISSIONS OF BOLIVIA, DOMINICAN REPUBLIC, HAITI, NICARAGUA, AND URUGUAY, AND WE DO NOT RECOMMEND APPROACHES IN CAPITALS OF ANY OF FOREGOING AT THIS TIME EXCEPT LAPAZ. BOLIVIAN CHARGE TOLD MISOFF HE WOULD VERY MUCH WELCOME EMBASSY APPROACH TO FOREIGN MINISTRY SINCE, ALTHOUGH HE HAS BEEN IN FREQUENT TOUCH WITH MINISTRY, LIMITED OFFICIAL USE

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PAGE 03 USUN N 01057 292218Z

HE UNABLE TO IMPRESS UPON THEM SERIOUSNESS OF SITUATION; I.E., THAT BOLIVIA MIGHT LOSE ITS VOTE AT SPECIAL SESSION.

COMMENT: IF ANY MEMBERS IN ARREARS AT OPENING OF SPECIAL SESSION, WE MUST FACE QUESTION OF APPLICATION OF ART 19 AS WELL AS POSSIBLE REQUEST FOR EXCULPATION WHICH IN THE PAST WE HAVE OPPOSED. WOULD APPRECIATE DEPT VIEWS SOONEST SINCE WE HAVE BEEN APPROACHED BY UN LEGAL COUNSEL SUY ABOUT HOW

WE PLAN TO DEAL WITH QUESTION.
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: FINANCIAL CONTRIBUTIONS, INTERNATIONAL ORGANIZATIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 29 MAR 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: morefirh
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974USUNN01057
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D740069-0804
From: USUN NEW YORK
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t1974032/aaaaabty.tel
Line Count: 117
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION IO
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators:
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: (A) USUN 814; (B) ASUNCION 0949
Review Action: RELEASED, APPROVED
Review Authority: morefirh
Review Comment: n/a
Review Content Flags:
Review Date: 28 JUN 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <28 JUN 2002 by boyleja>; APPROVED <31 JUL 2002 by morefirh>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: UNGA SPECIAL SESSION: ART 19 PROBLEM
TAGS: EGEN, AORG, BL, CT, DR, GV, HA, ML, NU, UNGA
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005